

01-22-02

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**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Small Entity)**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
31140BTotal Pages in this Submission  
48**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**PREVENTION OF OVARIAN CANCER BY ADMINISTRATION OF A VITAMIN D COMPOUND**

and invented by:

**GUSTAVO C. RODRIGUEZ and REGINA SALAS WHITAKER**If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 09/479,837

Which is a:

☒ **Continuation** ☐ **Divisional** ☐ **Continuation-in-part (CIP)** of prior application No.: 08/873,010 issued as US Patent No. 6,034,074

Which is a:

☐ **Continuation** ☐ **Divisional** ☒ **Continuation-in-part (CIP)** of prior application No.: 08/713,834 issued as US Patent No. 6,028,064

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 29 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☐ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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**Application Elements (Continued)**

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☐ Formal      b. ☐ Informal      Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration  
a. ☐ Newly executed *(original or copy)*      ☐ Unexecuted  
b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☒ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☒ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☐ Information Disclosure Statement/PTO-1449      ☐ Copies of IDS Citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EL395644338US

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Small Entity Statement(s) - Specify Number of Statements Submitted: \_\_\_\_\_
17. ☒ Additional Enclosures (please identify below):

Copy of Assignment as filed in parent application serial no. 08/873,010  
Copy of Verified Statement (Declaration) Claiming Small Entity Status - Small Business Concern as  
filed in parent application serial no. 09/479,837

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

- ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

### Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

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**(Small Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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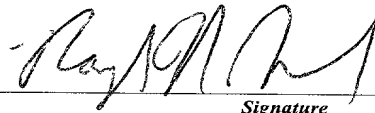
**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	30	- 20 =	10	x \$9.00	\$90.00
Indep. Claims	3	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$370.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$460.00

- ☒ A check in the amount of **\$460.00** to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **18-1942** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \_\_\_\_\_ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **January 18, 2002**

  
Signature

**Raymond N. Nimrod, Reg. No. 31,987**  
200 South Michigan Avenue  
Suite 1000  
Chicago, Illinois 60604  
Telephone: (312) 408-0855  
Facsimile: (312) 408-0865

cc: **Gustavo C. Rodriguez**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Gustavo C. Rodriguez and Regina Salas Whitaker**

Docket No.

**31140B**

Serial No.

To be assigned

Filing Date

**January 18, 2002**

Examiner

To be assigned

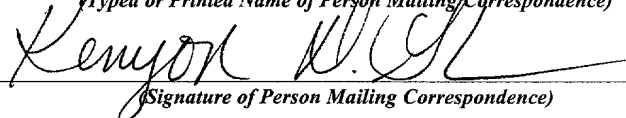
Group Art Unit

**1614**Invention: **PREVENTION OF OVARIAN CANCER BY ADMINISTRATION OF A VITAMIN D COMPOUND**

I hereby certify that the following correspondence:

**Utility Patent Application Transmittal (Small Entity) and accompanying document; Preliminary Amendment, Check in the amount of \$460.00; acknowledgement postcard***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**January 18, 2002***(Date)***KENYON D. GLOVER***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL395644338US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

"Express Mail" mailing label number: EL395644338US

Date of deposit: January 18, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10, with postage prepaid, on the  
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20231 on January 18, 2002

KENYON D. GLOVER

(typed or printed name of person mailing  
paper or fee)

Kenyon D. Glover

(signature of person mailing paper or fee)

2002 JAN 18 09 54 AM '02